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and

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

ENRON CORPORATION

Debtors.

ENRON POWER MARKETING, INC.,

Plaintiff,

– against –

PUBLIC UTILITY DISTRICT NO. 1 OF
SNOHOMISH COUNTY,

Defendant.

Chapter 11

Case No. 01-16034 (AJG)

Jointly Administered

Adv. Pro. No. 03-02064

NOTICE OF APPEAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 158(a) and in accordance with Rules 8001(a) and 8002(a) of the Federal Rules of Bankruptcy Procedure, Defendant Public Utility District No. 1 of Snohomish County (“Snohomish”) hereby appeals from the following Order entered in this adversary proceeding:

The Order entered by the United States Bankruptcy Court for the Southern District of New York on January 14, 2004 (Docket No. 30), *inter alia* (1) denying the motion of Enron Power Marketing, Inc. (“EPMI”) for an order (a) Enforcing the Automatic Stay and the Court’s Mediation Order and (b) Enjoining Snohomish from Seeking Clarification from the Federal Energy Regulatory Commission (“FERC”) (Docket No. 19) as premature, but stating that if FERC were to interpret the terms of the Agreement or to determine the rights of the parties under the Agreement, any such action would be void *ab initio* and (2) denying Snohomish’s alternative request to annul the automatic stay.

The parties to the Order appealed from and the name, addresses and telephone numbers of their attorneys are set forth below:

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Dated: New York, New York
January 24, 2005

MOSES & SINGER LLP

By: /s/ Alan E. Gamza
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